



INSPECTOR GENERAL REPORT

2005-12-0595

April 26, 2007

GIFT VIOLATIONS

Inspector General David O. Thomas and OIG Staff Attorney Amanda Schaeffer, after an investigation by Special Agent Dave Clark, report as follows:

This case involves a former health planner with the Woman, Infants and Children program (WIC) of the Department of Health who accepted gifts from persons who had a business relationship with her agency.

On December 29, 2003, the respondent, in her capacity as a health planner for the WIC, received a delivery of lobsters from the Cobbossee Cash Market valued at \$70.03. This delivery was sent by an employee of Premier Products, a company which had a business relationship with the WIC. Premier Products was awarded a contract from WIC to provide \$40,640.16 in promotional products.

The investigation also revealed that from February through September of 2004, the respondent received gifts of food and drink with a total value of approximately \$180.23 from a regional business manager for HemoCue, a company with a contract to provide medical services to WIC.

The Office of Inspector General (OIG) asserts jurisdiction under IC 4-2-7-3, where the OIG shall receive complaints alleging violations of the Code of Ethics.

40 IAC 2-1-6, at the time of this violation, read as follows: “A state employee... shall not solicit, accept, receive... any gift, favor, service, entertainment, food, or drink under circumstances in which it can reasonably be inferred that the thing of value would influence the employee to give special consideration to an action by such employee in his official capacity.”

This investigation and the ethics complaint led to a settlement agreement by the respondent and the Office of Inspector General. The agreement was submitted to and approved by the State Ethics Commission on September 8, 2005, wherein the respondent admitted to two violations of the former Gifts Rule, 40 IAC 2-1-6.

Dated this 26th day of April, 2007.

A handwritten signature in black ink, appearing to read "David O. Thomas", written over a horizontal line.

David O. Thomas, Inspector General